

Remarks

This communication is considered fully responsive to the Office Action. Claims 1-21 were examined. Claims 1-21 stand rejected. Claims 1, 8, 16, and 21 are amended. No claims are canceled. No new claims have been added. Reexamination and reconsideration of the pending claims are respectfully requested.

Claim Rejections - 35 U.S.C. 103(a) – Kato and Lee

The Office Action rejected claims 1-13 and 16-21 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,259,816 to Kato (“Kato”) in view of U.S. Patent Publication No. 2003/0058347 to Lee (“Lee”). Applicant respectfully traverses this rejection.

Applicant respectfully asserts that the Office Action has failed to carry its initial burden of factually supporting a prima facie conclusion of obviousness, as required by MPEP §2142. Specifically, the U.S. Patent Office set forth guidelines for determining obviousness in its Examination Guidelines published in the Official Gazette dated October 10, 2007. The guidelines clearly explain the burden that must be met in order to reject a claim on the rational that the variations would have been predictable to one of ordinary skill in the art based on design incentives or other market forces:

“Office personnel must resolve the Graham factual inquiries. Office personnel must then articulate the following:

- (1) a finding that the scope and content of the prior art, whether in the same field of endeavor as that of the applicant's invention or a different field of endeavor, included a similar or analogous device (method, or product);*
- (2) a finding that there were design incentives or market forces which would have prompted adaptation of the known device (method, or product);*
- (3) a finding that the differences between the claimed invention and the prior art were encompassed in known variations or in a principle known in the prior art;*
- (4) a finding that one of ordinary skill in the art, in view of the identified design incentives or other market forces, could have implemented the claimed variation of the prior art, and the claimed variation would have been predictable to one of ordinary skill in the art; and*
- (5) whatever additional findings based on the Graham factual inquiries may be necessary, in view of the facts of the case under consideration, to explain a conclusion of obviousness." Official Gazette at page 57533.*

The reasons set forth in the Office Action fail to articulate each of the above. Instead the Office Action concludes that the combination of Kato and Lee is proper because using the motion sensor of Lee in the system described by Kato would "still provide camera movement information to the encoder to improve the possibility of finding the motion vectors when the camera is

mounted in a different platform in order to be able to use the camera in more applications. This is mere conjecture and speculation and is not supported by the references themselves.

To the contrary, there is no need to use motion sensors in the system described by Kato because Kato already has the means for determining motion information. Kato receives a user request at platform attitude controller 15 which takes the request and moves the camera accordingly. Column 4, lines 3-8. This request or instruction to the camera platform is passed by the platform attitude controller 15 to the search area controller 14 where the motion vectors are calculated.

“If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness.” MPEP §2142. Withdrawal of the rejection of claims 1-13 and 16-21 is respectfully requested for at least these reasons.

Claim 1 is also amended to recite “at least two accelerometers disposed on opposite ends of a single wall to detect translation along an axis normal to a Cartesian plane containing the accelerometers” and “an adder coupled the accelerometers to sum a signal from one of the accelerometers with the inverse of a signal from the other of the accelerometers to generate a differential signal, the differential signal enabling detection of a change in angular orientation.” Support for this amendment is found in paragraph [0033] of the specification as originally filed. The cited references fail to teach or suggest at least these recitations. For at least these reasons claim 1 is believed to be allowable and Applicant respectfully requests withdrawal of the rejection of claim 1.

Claims 2-7 depend from claim 1, which is believed to be allowable. Therefore, claims 2-7 are also believed to be allowable for at least the same reasons as claim 1. Withdrawal of the rejection of claims 2-7 is respectfully requested.

Claim 8 is also amended to recite “generating a differential signal” and “detecting a change in angular orientation based on the differential signal.” Support for this amendment is found in paragraph [0033] of the specification as originally filed. The cited references fail to teach or suggest at least these recitations. For at least these reasons claim 8 is believed to be allowable and Applicant respectfully requests withdrawal of the rejection of claim 8.

Claims 9-13 depend from claim 8, which is believed to be allowable. Therefore, claims 9-13 are also believed to be allowable for at least the same reasons as claim 8. Withdrawal of the rejection of claims 9-13 is respectfully requested.

Claim 16 is also amended to recite “means for interspersing intracoded frames in the video images in a periodic manner to reduce the amount of coding noise associated with the motion compensation compression algorithm.” Support for this amendment is found in paragraph [0030] of the specification as originally filed. The cited references fail to teach or suggest at least these recitations. For at least these reasons claim 16 is believed to be allowable and Applicant respectfully requests withdrawal of the rejection of claim 16.

Claims 17-20 depend from claim 16, which is believed to be allowable. Therefore, claims 17-20 are also believed to be allowable for at least the same

reasons as claim 16. Withdrawal of the rejection of claims 17-20 is respectfully requested.

Claim 21 is also amended to recite “estimating pixel translation as a multiple of detected change in angular orientation.” Support for this amendment is found in paragraph [0025] of the specification as originally filed. The cited references fail to teach or suggest at least these recitations. For at least these reasons claim 21 is believed to be allowable and Applicant respectfully requests withdrawal of the rejection of claim 21.

Claim Rejections - 35 U.S.C. 103(a) – Kato, Lee, and Allen

The Office Action rejected claims 14 and 15 under 35 U.S.C. 103(a) as being unpatentable over Kato and Lee and further in view of U.S. Patent Publication No. 2003/0058347 to Allen (“Allen”). Applicant respectfully traverses this rejection.

Claims 14 and 15 depend from claim 8, which is believed to be allowable for at least the reasons set forth above. Therefore, claims 14 and 15 are also believed to be allowable for at least the same reasons as claim 8. Withdrawal of the rejection of claims 14 and 15 is respectfully requested.

Conclusion

The Applicant respectfully requests that a timely Notice of Allowance be issued in this matter.

Respectfully Submitted,

/Mark D. Trenner/

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By: _____

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